

**BID OPENING**  
**CITY OF SAN JOSE**  
**OFFICE OF THE CITY CLERK**

**City Clerk**  
**Time Stamp**

RECEIVED  
San Jose City Clerk  
2009 APR 16 P 2:53

TOTAL BASE BID 3,389,000.  
ALT NO. 1 100,000.  
ALT NO. 2 \_\_\_\_\_  
ALT NO. 3 \_\_\_\_\_  
Alt No. 4 \_\_\_\_\_  
Alt No. 5 \_\_\_\_\_

BID DATE: Thursday, April 16, 2009  
Project Manager: Peter Testa – 535-8435

**HAPPY HOLLOW PARK & ZOO**  
**PEDESTRIAN BRIDGE RE-BID**

BIDDER NAME: West Bay Builders Inc.

Bond ☒ Cashier's Check \_\_\_\_\_

Addendums Included ( ) YES \_\_\_\_\_ NO \_\_\_\_\_

NonCollusion Affidavit ☒ YES \_\_\_\_\_ NO \_\_\_\_\_

Ad. 1 ☒  
Ad. 2 ☒

DWB

**PROPOSAL TO CITY OF SAN JOSE**  
**FOR**  
**HAPPY HOLLOW PARK AND ZOO PEDESTRIAN BRIDGE REBID**

Name of Bidder: WEST BAY BUILDERS, INC.

The representations herein are made under penalty of perjury.

To: The City of San Jose, State of California

The undersigned, as bidder, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm or corporation; that the bidder has thoroughly read and examined and has full knowledge of and understands all the provisions and contents of this proposal and the documents which must be attached hereto, the Plans approved by the Director of Public Works on March 13, 2009, entitled, Happy Hollow Park and Zoo Pedestrian Bridge Rebid and the Specifications approved by the Director of Public Works on March 13, 2009, entitled Happy Hollow Park and Zoo Pedestrian Bridge Rebid on file in the office of the Director of Public Works of the City of San Jose in City Hall, San Jose, California; that the bidder has thoroughly examined said Plans and Specifications which are on file in the office of the Director of Public Works, and that the bidder has full knowledge of and understands said Plans and Specifications and the requirements thereof; and that the bidder has further read and understands, and has knowledge of the contents of any and all addenda to said Plans and Specifications on file; and that the bidder proposes and agrees, if this proposal is accepted, that the bidder will contract with the City of San Jose, in the form of the copy of the contract on file in the office of the Director of Public Works, to do all the work and furnish all materials specified or referred to in the contract, in the manner and time therein prescribed, and according to the requirements of the City or Director of Public Works as therein set forth, to furnish the contract, bonds and insurance specified in the Specifications, and to do all other things required of the Contractor by the contract; and will take in full payment therefor the following price or unit prices as shown in the Schedule of Quantities on the next page(s).

If the bidder or other interested persons is a corporation, state legal name of corporation, also names of the President, Secretary, Treasurer, and the Manager thereof; if a partnership, state the name of the partnership, if one exists, also the names of all the partners comprising the partnership; if any of the partners are individuals, state the first and last name of every individual in full, if any of the partners are corporations, state for each such corporation, the information required above of corporations; if any of the partners are partnerships, state for each such partnership the information required above of partners; if the bidder or other interested person is a joint-venture, state the name of the joint venture, also names of all joint venturers comprising the joint venture; if any of the joint venturers are individuals, state the first and last name of every individual comprising the joint venture; if any of the joint venturers are corporations, state for each corporation the information required above of corporations; if any of the joint venturers are partnerships, state for each such partnership, the information required above of partners; if bidder or other interested persons is an individual, state first and last names in full.

If bidder is an individual, the bidder's signature shall be placed below; if bidder is an individual, doing business under a fictitious name, the name of the individual followed by the words "doing business under (insert the fictitious name)" shall be set forth above, together with the signature of the individual; if bidder is a corporation, the legal name of the corporation shall be set forth above, together with the signature of the officer or officers of the corporation, authorized to sign contracts on behalf of the corporation, the corporate title; that is Vice-President, Secretary, etc., should be placed below the name of the officer and the corporate seal affixed; if bidder is a partnership, the legal name of the partnership, if one exists, shall be set forth above, together with the signature of the partner or partners authorize to sign contracts on behalf of the partnership; if any of the partners are corporations, execution for such partners shall be accomplished

## **BID PROPOSAL**

### **DESCRIPTION OF WORK:**

Furnish all necessary labor, materials, equipment and incidentals to complete the work as described in the plans and specifications for this project.

### **BID ITEMS:**

For the project, entitled: **HAPPY HOLLOW PARK AND ZOO PEDESTRIAN BRIDGE REBID**

#### **TOTAL BID PRICE FOR EACH ITEM:** (In figures)

##### **BASE BID:**

3,389,000

##### **ADD ALTERNATE #1**

Decrease time for construction from 402  
Calendar days to 366 calendar days per  
Section 01230.

100,000

##### **TOTAL BID AMOUNT:**

3,489,000

### **NOTES:**

- 1) See the Special Provisions Section 3-1.01D, 'Add Alternate' in the project manual for determination of low bid and description of "Award of Contract".
- 2) Bid alternates prices are to include the Contractor General Conditions, Project and Overhead, bonding and related costs specified in the scopes of work for each individual Alternate.
- 3) Refer to Specification Section 01230 for additional information for each "Alternate" work.

in accordance with the requirements set forth above for corporations; if any of the partners are partnerships, execution for such partners shall be accomplished in accordance with the requirements set forth above for partnership; if bidder is a joint-venture, the legal name of the joint venture, if one exists, shall be set forth above for partnerships. If signature is by an agent other than an officer of a corporation, or member of a partnership or a joint venture, a Power of Attorney must be on file with the City Clerk prior to opening bids or submitted with the bid; otherwise, the bid may, at the City's option, be disregarded as non-responsive.

If this proposal shall be accepted and the undersigned shall fail to contract, and to give the Contractor's Bond For Faithful Performance and the Contractor's Payment Bond required by the specifications and contract and by law, and to provide all insurance as required by said contract, within eight (8) days after the bidder has received notice from the City of San Jose, the City may, at its option, determine that the bidder has abandoned his/her contract, and thereupon this proposal and the acceptance thereof shall be null and void, and the forfeiture of such security accompanying this proposal shall operate and the same shall be the property of the City of San Jose.

In accordance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding on contempt of court by a federal court has been issued against the Contractor within the immediately preceding two year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board. Signing this Proposal on the signature portion thereof shall constitute signature of this Statement.

Accompanying this proposal are the following documents completely filled in by the bidder and the same are incorporated herein by reference;

1. Cash, a cashier's check or a certified check made payable to City, or a bidder's bond executed by an admitted surety insurer naming the City as beneficiary, in an amount equal to at least ten percent (10%) of the total amount bid including all alternatives.
2. A list of subcontractors for work over one half of one percent, if any, the address of each subcontractor and the description of work to be done by each subcontractor.
3. A statement of financial responsibility, technical ability, and experience if such information is not already on file with the City.

City may at its option, request additional supplemental information after bid opening.

Bidder understands that the City reserves the right to reject any or all bids and to waive any informalities in the bidding.

The undersigned, as bidder, declares that in listing subcontractors in this bid, I have not discriminated or given any preference to any firm based on race, sex, color, age, religion, sexual orientation, actual or perceived gender identity, disability, ethnicity, or national origin. I understand that any such discrimination or preference is in violation of Chapter 4.08 of the Municipal Code.

Execution of the Non-Collusion Affidavit constitutes execution of this Bid Proposal including the above statement of nondiscrimination and, with the exception of the Bidder's Bond or Addenda, if any, no other signatures will be required.

# NONCOLLUSION AFFIDAVIT

Project Title: Happy Hollow Park and Zoo Pedestrian Bridge Rebid.

PAUL THOMPSON

(print name)

, being first duly sworn, deposes and says that he/she is the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof the effectuate a collusive or sham bid.

In accordance with Title 23, United States Code, Section 112, the bidder hereby states, under penalty of perjury, that he/she has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this contract. Bidders are cautioned that making a false certification may subject certifier to criminal prosecution.

The undersigned declares under penalty of perjury that the information contained in this proposal and all accompanying documents are true and correct.

Executed on 4/16/09

WEST BAY BUILDERS, INC.

Legal Company Name

CORPORATION

Indicate Type of Entity: Sole Proprietorship,  
Partnership (General/Limited Partners),  
Corporation, Joint Venture, etc.

City Business Lic. No.: 142221205

Expiration Date: 6/31/09

State Contractor Lic. No.: 626859

Classification: A, B, C17

Expiration Date: 8/31/09

Federal I. D. No.: 68-0250401

Address: 250 BEL MARIN KEYS BOULEVARD

BUILDING A

NOCATO, CA 94949

Telephone: 415-456-8972

By: [Signature]  
Title: PRESIDENT

\*\*\*\*\*

NOTARY

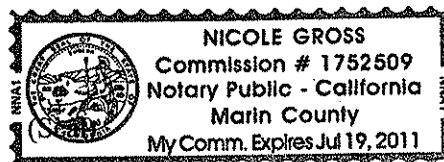
On 4/16/09 before me, Nicole Gross, Notary Public, personally appeared  
(name and title of officer)

Paul Thompson who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under the PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]  
Notary Public



## **BIDDER'S BOND**

KNOW ALL PERSONS BY THESE PRESENTS:

That we, West Bay Builders, Inc. as PRINCIPAL,  
and Safeco Insurance Company of America, a corporation duly organized under the  
laws of the State of Washington and duly licensed to become sole surety on bonds  
required or authorized by the State of California, as SURETY, are held and firmly bound unto the  
City of San Jose (hereinafter called the "City"), in the penal sum of TEN PERCENT (10%) OF THE  
TOTAL AMOUNT OF THE BID of the Principal above named, submitted by said Principal to the  
City of San Jose, for the work described below; for the payment of which sum in lawful money of  
the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators  
and successors, jointly and severally, firmly by these presents. In no case shall the liability of the  
Surety hereunder exceed the sum of Ten Percent of Total Amount Bid DOLLARS (\$  
     ). (10%)

THE CONDITION OF THIS OBLIGATION IS SUCH,

That whereas the Principal has submitted the above mentioned bid to the City of San Jose, for  
certain construction specifically described as follows, for which bids are to be opened in the Office  
of the City Clerk, City of San Jose, City Hall, 200 E. Santa Clara St., Wing 2nd Fl., San Jose, CA  
95113, on April 16, 2009 for **Happy Hollow Park & Zoo Pedestrian Bridge Rebid**

NOW, THEREFORE, if the aforesaid Principal is awarded the contract and, within the time  
and manner required under the specifications, after the prescribed forms are presented to Principal  
for signature, enters into a written contract, in the prescribed forms, in accordance with the bid, and  
files a Faithful Performance Bond and a Contractor's Payment Bond, and files the required insurance  
policies with the City, all as required by the specifications and the contract or by law, then the  
obligation shall be null and void; otherwise it shall be and remain in full force and effect.

The Surety, for value received, hereby stipulates and agrees that the obligation of said Surety  
and its bond shall be in no way impaired or affected by any extension of the time within which the  
Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

In the event suit is brought upon this bond by the Obligee and judgement is recovered, the  
Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to  
be fixed by the court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 13th  
day of April, 2009.

PRINCIPAL

SURETY

West Bay Builders, Inc.

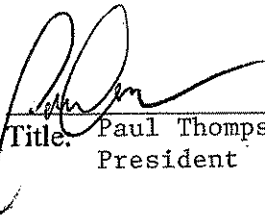
Safeco Insurance Company of America

Legal Company Name

Legal Company Name

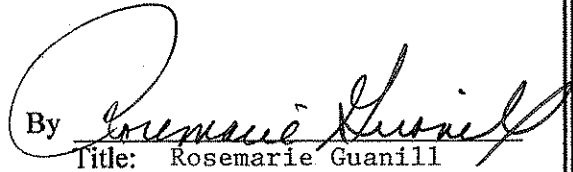
Indicate Type of Entity

By



Title: Paul Thompson,  
President

By



Title: Rosemarie Guanill  
Attorney-in-Fact

By

N/A

Title:

By

N/A

Title:

(Affix Corporate Seals)

(Attach Acknowledgments of both Principal and Surety signatures)

# ALL-PURPOSE ACKNOWLEDGMENT

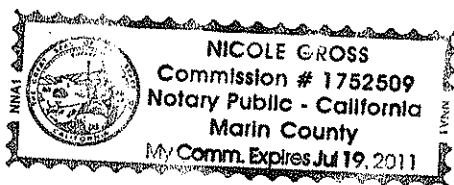
State of California

County of Marin } SS.

On April 13, 2009, before me, Nicole Gross, Notary Public, Notary Public,  
DATE

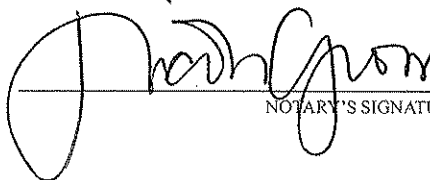
personally appeared Paul Thompson, who proved to me on the

basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

  
NOTARY'S SIGNATURE

PLACE NOTARY SEAL IN ABOVE SPACE

## OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

### CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☐ INDIVIDUAL  
☐ CORPORATE OFFICER \_\_\_\_\_ TITLE(S)  
☐ PARTNER(S)  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER: \_\_\_\_\_

### DESCRIPTION OF ATTACHED DOCUMENT

Bid Bond - Happy Hollow Zoo Bridge

\_\_\_\_\_  
TITLE OR TYPE OF DOCUMENT

\_\_\_\_\_  
NUMBER OF PAGES

\_\_\_\_\_  
DATE OF DOCUMENT

\_\_\_\_\_  
OTHER

### SIGNER (PRINCIPAL) IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)  
\_\_\_\_\_  
\_\_\_\_\_

RIGHT  
THUMBPRINT  
OF  
SIGNER

Top of thumbprint here

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Francisco

On April 13, 2009 before me, Nerissa S. Bartolome, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Rosemarie Guanill  
Name(s) of Signer(s)

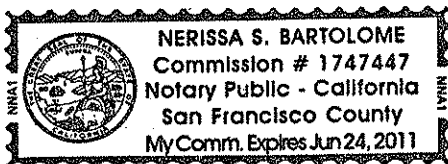
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public



Place Notary Seal Above

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Bid Bond

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: Rosemarie Guanill

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☒ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_  
Safeco Insurance Company  
of America

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here



POWER  
OF ATTORNEY

Safeco Insurance Company of America  
General Insurance Company of America  
1001 4th Avenue  
Suite 1700  
Seattle, WA 98154

No. 9437

KNOW ALL BY THESE PRESENTS:

That **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**, each a Washington corporation, does each hereby appoint

\*\*\*\*\*NERISSA S. BARTOLOME; LAWRENCE J. COYNE; JOAN DE LUCA; ROGER C. DICKINSON; ROSEMARIE GUANILL; NANCY L. HAMILTON; KELLY HOLTEMANN; THOMAS E. HUGHES; STANLEY D. LOAR; MARK M. MUNEKAWA; JEFFREY W. PARKHURST; YVONNE RONCAGLIOLO; CHARLES R. SHOEMAKER; San Francisco, CA\*\*

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA** have each executed and attested these presents

this 21st day of March, 2009

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of **SAFECO INSURANCE COMPANY OF AMERICA**  
and of **GENERAL INSURANCE COMPANY OF AMERICA**:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of **SAFECO INSURANCE COMPANY OF AMERICA**  
and of **GENERAL INSURANCE COMPANY OF AMERICA** adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
- (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
- (iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Dexter R. Legg, Secretary of **SAFECO INSURANCE COMPANY OF AMERICA** and of **GENERAL INSURANCE COMPANY OF AMERICA**, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 13th day of April, 2009



Dexter R. Legg, Secretary

# LIST OF SUBCONTRACTORS

Designation of Subcontractors as required in Section 2-1.15A of the City of San Jose Standard Specifications, July 1992.

| NAME OF SUBCONTRACTOR                  | LOCATION OF PLACE OF BUSINESS | NUMBER OF EMPLOYEES | PORTION (DESCRIPTION) OF WORK |
|--|-------------------------------|---------------------|-------------------------------|
| Central fence                          | San Jose, CA                  | 50                  | Fence                         |
| <del>Cmc. Golden Gate</del> P.T.       | <del>Stockton</del> P.T.      |                     | <del>Rebar</del> P.T.         |
| <del>Pacific Coast Drilling</del> P.T. | <del>Petaluma, CA</del> P.T.  |                     | <del>CIDH</del> P.T.          |
| Avar                                   | Freemont, CA                  | 51                  | Post tensioning               |
| Adams and Smith                        | Indon, Utah                   | 27                  | Steel                         |
| <del>Mike Brown Electric</del> P.T.    | <del>Stockton</del> P.T.      |                     | <del>Electrical</del> P.T.    |
| Edward W. Scott Electric               | San Francisco, CA             | 100                 | Electrical                    |
| Malcom Drilling                        | Hayward, CA                   | 100                 | CIDH                          |
| Cmc Fontana Steel                      | Stockton, CA                  | 45                  | Rebar                         |

# STATEMENT OF BIDDER'S EXPERIENCE

The bidder is required to state below what work of similar magnitude or character the bidder has done, and to give reference that will enable the City Council to judge the bidder's experience, skill and business standing and of the bidder's ability to conduct the bidder's work as completely and as rapidly as required under the terms of the contract.

| <u>PROJECT NAME</u>             | <u>AGENCY/ENTITY</u>  | <u>CONTRACT AMOUNT</u> |
|---------------------------------|-----------------------|------------------------|
| WHITE'S HILL BRIDGE             | COUNTY OF MARIN       | \$5,195,183            |
| YBI W2 FOUNDATIONS (BAY BRIDGE) | STATE OF CA DOT       | \$24,680,950           |
| YBI SUBSTATION (BAY BRIDGE)     | STATE OF CA DOT       | \$11,214,241           |
| BENICIA-MARTINEZ TOLL PLAZA     | STATE OF CA DOT       | \$21,407,137           |
| LIVERMORE PARKING STRUCTURE     | CITY OF LIVERMORE     | \$7,642,496            |
| MERCED CENTER PARKING STRUCTURE | CITY OF MERCED        | \$9,984,281            |
| CINEMA PLACE PARKING STRUCTURE  | CITY OF HAYWARD       | \$6,653,381            |
| H. DANA BOWERS REST AREA        | STATE OF CA DOT       | \$4,71,0845            |
| CAMPBELL PARKING STRUCTURE      | CITY OF CAMPBELL      | \$5,920,000            |
| NAPA PARKING STRUCTURE          | CITY OF NAPA          | \$13,948,980           |
| CONCORD PARKING STRUCTURE       | CITY OF CONCORD       | \$7,705,473            |
| VMC NORTH PARKING STRUCTURE     | COUNTY OF SANTA CLARA | \$7,928,261            |
|                                 |                       |                        |
|                                 |                       |                        |
|                                 |                       |                        |
|                                 |                       |                        |
|                                 |                       |                        |

April 3, 2009

**ADDENDUM NO. 1  
FOR THE  
HAPPY HOLLOW PARK AND ZOO PEDESTRIAN BRIDGE REBID**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into plans and specifications for the HAPPY HOLLOW PARK AND ZOO PEDESTRIAN BRIDGE REBID PROJECT.

SPECIFICATIONS – SPECIAL PROVISIONS:

1. "TABLE OF CONTENTS" shall be replaced with the attached and updated "Table of Contents – Add No. 1".
2. "SPECIAL PROVISIONS" dated, "10/08/2008" shall be replaced with the attached and updated "SPECIAL PROVISIONS" dated, "Rev. 10/08/2008 With Claim Provisions." Attention is directed to the following sections:
  - a. Added 8.106: entitled, "Time of Completion with in climate weather provisions"
  - b. Added 9.104: entitled, "Notice of Potential Claim"
  - c. Added 9.107B: entitled, "Final Payment and Claims"
  - d. Attachments 1 through 5 shall remain and are not modified
  - e. Attachment 6 is included with the Addendum to provide the Notices of Potential Claims Forms and to complete the package.
  - f. Combined and Modified Section 9.107C into Section 9.107B added above
3. TECHNICAL SPECIFICATIONS, Section 02620, entitled, "Geotextile – Subsurface Drainage Application" has been added.
4. TECHNICAL SPECIFICATIONS Section 02640, entitled, "Drainage System" has been added.
5. TECHNICAL SPECIFICATIONS, Section 2950, entitled, "SODDING", Paragraph 2.03, "WATER" shall be revised to read as follows:
  - a. Contractor to provide clean water to SOD and to existing grasses between the Riparian Corridor and the infiltration basin after planting and for the duration of the maintenance period.

- b. Contractor shall provide water at quantities and frequencies sufficient to provide healthy and vigorous growth as conditions require.
- 6. TECHNICAL SPECIFICATIONS Section 07900, entitled, "Joint Seal" has been added.
- 7. TECHNICAL SPECIFICATIONS Section 16100, entitled, "Raceways, Boxes, and Cabinets", reprinted page 2 due to printing error. No changes.

PLANS:


- 8. Sketch AD-1 and AD-2, entitled, "Infiltration / Retention Basin Plan View" and "Section of Infiltration / Retention Basin" respectively are added.
- 9. Sketch AD-3, entitled, "Detail of drainage pipe at bottom of basin".
- 10. Sheet G2:
  - a. Sheet No. S10A added to "Index of Drawings"
  - b. Sheet No. S44A added to "Index of Drawings"
- 11. Sheet S2:
  - a. Elevations in "Profile Grade Line Along CL of Bridge" modified
- 12. Sheet S7:
  - a. Elevations in "Elevation" modified
  - b. Abutment head wall detail callout in "S1 - Section" added
  - c. "D1 - West Abutment" and "D1 - East Abutment" added
- 13. Sheet S10:
  - a. All elevations in plan, elevation, and sections modified
  - b. Center pier drainage system in "P1 - Pier Cap Plan" revised
  - c. Pier brackets in "E1 - Center Pier North Elevation" modified
  - d. Drainage system in "S1 - Pier Section" revised
  - e. Pier bracket in "S1 - Pier Section" modified
  - f. Drainage system in "S21 - Pier Section" revised
  - g. Pier bracket in "S21 - Pier Section" modified
- 14. Sheet S10A:
  - a. New sheet showing revised drainage system
- 15. Sheet S14:
  - a. All elevations in sections and detail modified
  - b. Center pier brackets in all "Pier Section" modified
  - c. Drainage system in all "Pier Section" revised
  - d. Drainage pipe material and detail in "Drainage Outlet Details" revised
- 16. Sheet S33:
  - a. "End Plate Dimensions" table for West Abutment modified
- 17. Sheet S44:
  - a. "Deck Joint Plan at Abutments" modified to "Deck Joint Plan at East Abutment"
  - b. Neoprene stopper detail added to "Deck Joint Plan at East Abutment"

- c. Spacing of countersunk holes in "Deck Joint Plan at East Abutment" modified
  - d. Compression seal at curb in "Deck Joint Plan at Pier" modified
  - e. Note 2 modified
18. Sheet S44A:
- a. New sheet showing modified deck joint at west abutment
  - b. New sheet showing details of neoprene stopper at curb
19. Sheet S51:
- a. West approach slab slope and elevations in "West Abutment Grading and Jump Slab Plan" modified
  - b. Elevations in "S2 - Cheek Wall Section" modified
20. Sheet S52:
- a. West approach slab slope and elevations in "S1 - Section at Curb" modified
  - b. West approach slab slope and elevations in "S2 - Section at CL Bridge" modified

**INSTRUCTIONS TO BIDDER:**

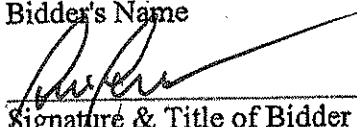
The bidder must sign this addendum in the space provided below and return one signed copy with the bid. Failure to return the signed copy with the bid documents shall not relieve the bidder of the obligation to include this addendum with the bid proposal.

APPROVED BY:

  
Katy Allen  
Director  
Public Works Department

**WEST BAY BUILDERS, INC.**

Bidder's Name

  
Signature & Title of Bidder

PAUL THOMPSON, PRESIDENT

4/16/09

Date

April 13, 2009

**ADDENDUM NO. 2  
FOR THE  
HAPPY HOLLOW PARK AND ZOO PEDESTRIAN BRIDGE REBID PROJECT**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into plans and specifications for the **HAPPY HOLLOW PARK AND ZOO PEDESTRIAN BRIDGE REBID PROJECT**.

**SPECIFICATIONS – CONTRACT DOCUMENTS**

1. **SPECIAL PROVISIONS: LIQUIDATED DAMAGES:** (near end of Special Provision)  
The dollar amount for each day the completion is delayed by the contractor shall be changed to \$7,500

**SPECIFICATIONS AND PLANS (Clarifications)**


2. **PLAN SA2 and SECTION 02741, Asphalt Concrete:** The bid includes some asphalt, base rock quantities for access roads per notes on Sheet SA1 and SA2. This is a means and methods requirement and it depends on the size and weight of equipment needed to complete the job. The quantities are included as a worse case probability and bidder's quantities may vary.
3. **PLANS SA 1 and SA 2:** Attention is directed to Note No. 7 on SA 1 and Note Nos. 1, 4 & 5 on SA2 concerning the access paths.
4. **SECTION 02920 & 02950:** Attention is directed towards Addendum No. 1 for soil and sodding requirements.
5. **GENERAL:** N.I.C. is an abbreviation for Not In Contract. All work labeled as such is not in the contract.
6. **PLAN D1, "Demolition and Tree Protection":** The quantity of work associated with limbing of trees is difficult to indicate on plans compared to the dollar amount of work involved. Please note that the plan attempts to identify the trees requiring branches to be removed and that additional trees may need to be limbed if they have branches in the way of the new bridge. Please note that access into the Riparian Corridor is limited to foot traffic only for the purposes of limbing certain trees.

7. SECTION: 05120, Part 1.1.D.3. Attention is directed to this section. "All other miscellaneous metal furnished that is shown on the contract plans, except those included in Section 05520 Bridge Railing and Fencing."
8. SECTION 05520, Part 2.1.A: Bridge fencing steel shall be ASTM A709, Grade 50, galvanized per Sheet S48 Note 2 and S49 Note 2. Bridge gate steel shapes and plates shall conform to ASMT A709, Grade 50 Galvanized.
9. SECTION 09910, Part 1.1.A: Delete "...including the bridge posts at the observation deck and supports for the bridge gates," from Specification Section 09910 1.1.A.
10. SECTION 09910 Part 2.1.D: Color; "...shall be brown to match the weathering steel of the structural steel."
11. PLANS S17, S21, S22: Paint steel as indicated on drawings, i.e. shown on Sheets S17, S21, S22 (knuckle joint, Grade 50W) per SECTION )9910, Part 2.1.D above.
12. SECTION 03301, Part 2.1.E.1: Add to Specification Section 03301 2.1.E.1 "Deck and abutment *and exposed piles*: Class 1 Finish"
13. PLANS S48: Add the note to attach plastic lumber railing to C-channel, "Use #10x1 1/4" deep thread wood screws at 12" O.C. or approved equal."
14. The pavement and base section are part of the Happy Hollow Park and Zoo Project.
15. PLAN S11: Pier Foundation Details; Attention is directed to ADDENDUM NO. 1 for the grade elevations at center pier.
16. PLANS S16 & S17: Knuckle joints are not hot dip galvanized. See S16 Note 3. All steel except the internal steel plates shall conform to ASTM A709, Grade 50W, unless otherwise noted, and painted."

INSTRUCTIONS TO BIDDER:

The bidder must sign this addendum in the space provided below and return one signed copy with the bid. Failure to return the signed copy with the bid documents shall not relieve the bidder of the obligation to include this addendum with the bid proposal.

APPROVED BY:

  
for Katy Allen  
Director  
Public Works Department

WEST BAY BUILDERS, INC.

Bidder's Name

Signature & Title of Bidder

PAUL THOMPSON, PRESIDENT

4/16/09

Date